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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/963,715	09/26/2001	Rabindranath Dutta	AUS920010319US1	9288
45440 7590 11/27/2007 IBM CORPORATION (SS) C/O STREETS & STEELE 13831 NORTHWEST FREEWAY, SUITE 355 HOUSTON, TX 77040				
EXAMINER BUCHANAN, CHRISTOPHER R				
ART UNIT		PAPER NUMBER		
3627				
MAIL DATE		DELIVERY MODE		
11/27/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09963715	9/26/2001	DUTTA ET AL.	AUS920010319US1

IBM CORPORATION (SS)  
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13831 NORTHWEST FREEWAY, SUITE 355  
HOUSTON, TX 77040

## EXAMINER

Christopher R. Buchanan

ART UNIT	PAPER
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3627 20071120

DATE MAILED:

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## Commissioner for Patents

The examiner's answer mailed 3/21/2007 contains a new ground of rejection set forth in section (9). Accordingly, appellant must within TWO MONTHS from the date of the answer exercise one of the following two options to avoid sua sponte dismissal of the appeal as to the claims subject to the new ground of rejection:

- (1) Reopen prosecution. Request that prosecution be reopened before the primary examiner by filing a reply under 37 CFR 1.111 with or without amendment, affidavit or other evidence. Any amendment, affidavit or other evidence must be relevant to the new grounds of rejection. A request that complies with 37 CFR 41.39(b)(1) will be entered and considered. Any request that prosecution be reopened will be treated as a request to withdraw the appeal.
- (2) Maintain appeal. Request that the appeal be maintained by filing a reply brief as set forth in 37 CFR 41.41. Such a reply brief must address each new ground of rejection as set forth in 37 CFR 41.37(c)(1)(vii) and should be in compliance with the other requirements of 37 CFR 41.37(c). If a reply brief filed pursuant to 37 CFR 41.39(b)(2) is accompanied by any amendment, affidavit or other evidence, it shall be treated as a request that prosecution be reopened before the primary examiner under 37 CFR 41.39(b)(1). Extensions of time under 37 CFR 1.136(a) are not applicable to the TWO MONTH time period set forth above. See 37 CFR 1.136(b) for extensions of time to reply for patent applications and 37 CFR 1.550(c) for extensions of time to reply for ex parte reexamination proceedings.

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627

/Christopher R Buchanan/  
Examiner, Art Unit 3627